

## **Defendants' Exhibit 3**

Cause No. 2016-65698

|                               |   |                                     |
|-------------------------------|---|-------------------------------------|
| KF FRANCHISING, LTD.,         | § | IN THE DISTRICT COURT OF            |
|                               | § |                                     |
| Plaintiff,                    | § |                                     |
|                               | § |                                     |
| v.                            | § | HARRIS COUNTY, TEXAS                |
|                               | § |                                     |
| TASONE INC., STEVE BOLES, AND | § |                                     |
| RAZIJE ELEZ,                  | § |                                     |
|                               | § | 215 <sup>th</sup> JUDICIAL DISTRICT |
|                               | § |                                     |
| Defendants.                   |   |                                     |

**DEFENDANTS'**  
**VERIFIED SPECIAL APPEARANCES & ORIGINAL ANSWERS**

TO THE HONORABLE COURT:

Defendants Tasone, Inc., Steve Boles, and Razije Elez file and serve their special appearances and original answers to plaintiff's original petition:

**SPECIAL APPEARANCE**

1. Pursuant to Texas Rule of Civil Procedure 120a, defendants Tasone, Inc., Steve Boles, and Razije Elez object to the jurisdiction of this court. Defendants' special appearances are made as to this entire proceeding and as to any severable claim involved therein. Defendants' special appearances are made as to each claim asserted by the plaintiff. This Court's jurisdiction offends traditional notions of fair play and substantial justice. Tasone, Inc., Steve Boles, and Razije Elez did not and do not have minimum contacts with Texas. Tasone, Inc., Steve Boles, and Razije Elez did not purposefully establish minimum contacts with Texas. Plaintiff's causes of action do not arise from or relate to any defendant's contacts with Texas. Defendants did not agree to the personal jurisdiction of any court in Texas, and no contract subjects any defendant to personal jurisdiction

in Texas. Tasone, Inc., Steve Boles, and Razije Elez have not done business in Texas, have not, in whole or in part, committed a tort in Texas, have not entered into a contract to be performed in whole or part in Texas, do not have continuing contacts with Texas, are not amenable to service by a Texas court, and have not intentionally harmed the plaintiff. Tasone, Inc. is incorporated under Colorado law and its principal place of business is in Colorado. Tasone, Inc. is not at home in Texas. Likewise, Steve Boles and Razije Elez reside in Colorado, do not reside in Texas, and are not at home in Texas.

### **GENERAL DENIAL**

2. As is their right under the Constitution and laws of the State of Texas, as well as under Rule 92 of the Texas Rules of Civil Procedure, defendants generally deny each and every allegation contained in plaintiff's petition and amendments thereto and demand strict proof thereof at the trial of this case.

### **SPECIFIC DENIALS**

3. Defendants specifically deny that all conditions precedent have been performed or have occurred as Plaintiff alleges.

### **PRAYER**

4. Defendants Tasone, Inc., Steve Boles, and Razije Elez, therefore, request an order dismissing any and all of the plaintiff's claims for lack of personal jurisdiction. Alternatively and if defendants' special appearances are denied, defendants pray that upon full trial and hearing hereof, they be granted judgment in accordance with the law and facts, that plaintiff take nothing by its suit, and that each defendant be granted such other and further relief, both general and special, at law and in equity, to which each may be justly entitled.

Respectfully submitted,

THE DIETRICH LAW FIRM

/s/ Fred Dietrich  
By: \_\_\_\_\_  
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**ATTORNEY FOR DEFENDANTS  
TASONE, INC., STEVE BOLES, AND  
RAZIJE ELEZ**

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of *Defendants' Special Appearances and Original Answers* was served by e-service or fax on October 30, 2016 on:

Ms. Deborah S. Coldwell  
State Bar No. 04535300  
deborah.coldwell@haynesboone.com

via eservice

**ATTORNEY FOR PLAINTIFF  
KF FRANCHISING, LTD.**

/s/ Fred Dietrich  
\_\_\_\_\_  
Fred Dietrich



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.  
Witness my official hand and seal of office  
this March 30, 2018

Certified Document Number: 73032459 Total Pages: 3

Chris Daniel, DISTRICT CLERK  
HARRIS COUNTY, TEXAS

**In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail [support@hcdistrictclerk.com](mailto:support@hcdistrictclerk.com)**